

DEATH ACTS IN COLORADO DEFENDED

Guardsmen on Trial Tell of Ludlow Battle and Deny Charges.

BUT ADMIT FIRING INTO MINERS' CAMP

Killing of Women and Children Brought Before Court Martial to Sift.

(By Telegraph to The Tribune.) Denver, May 13.—Lieutenant K. E. Linderfelt, denounced by the United Mine Workers ever since the battle of Ludlow, heard himself described as a hero at this afternoon's session of the national guard court martial here. Lieutenant R. W. Benedict, adjutant of the battalion in which Linderfelt was also an officer, said that Linderfelt and Captain Carson risked their lives to rescue women and children from the burning tent colony and escorted them to the national guard mess house for safekeeping.

When the court martial convened at the rifle range, near Golden, this morning, sixty-two charges, including murder, arson and manslaughter, were preferred against Major Patrick J. Hamrock, who had charge of the national guard at the battle of Ludlow.

Hamrock, because of his rank, was chosen as the first defendant, but all the other officers and men whom the evidence may implicate will be tried at the same time, and when Hamrock answered not guilty he answered for all.

Lieutenant Benedict testified that the first shots in the battle were fired by the strikers; that he and all others in the national guard had orders not to fire until attacked, and that he took particular notice that the fire came from the hiding strikers. He denied that the machine gun was turned at any time directly upon the tent colony, but admitted shots were fired in such a direction that they might have reached the colony.

Benedict also testified that he made a cursory examination of the corpse of Louis Tikas, leader of the Greeks in the colony, and could not find any bruise or other mark on Tikas's head to indicate that he had been struck by a rifle. It has been charged that Lieutenant Linderfelt broke his rifle by striking Tikas on the head while the Greek was a military prisoner. Benedict testified that it was clear that Tikas was killed by gunshot wounds while attempting to escape.

The witness's testimony was not all favorable to his comrades. He admitted, in contradiction of a recent report of a military commission, that he found many bullet marks among the ruins of the colony, and said that the bullets might have come from the military machine gun.

Senator W. C. Robinson, Republican, in the Senate this afternoon announced that to-morrow he would introduce a resolution calling for the resignation of Governor E. M. Ammons.

GIVES WOMAN HIS BLOOD

Let It Flow Two Hours in Transfusion Operation.

Mrs. Warren Powers improved yesterday immediately following a transfusion operation in Lawrence Hospital, during which Charles Wiseman gave her more than a pint of blood to relieve her anemic condition.

The operation was performed by Dr. Oliver Austin in the presence of ten other doctors. An opening was made in Wiseman's right arm, and for two hours the blood was permitted to flow into the woman's left arm and course through the arteries.

M'Lean Head of Canadian Club.

The Canadian Club elected the following officers at its annual meeting at the Waldorf-Astoria: President, John Emery McLean; vice-presidents, Ernest Thompson Seton, Thomas F. Neelds and Walter T. Stevens; secretary, Edwin B. Peacham; treasurer, H. F. Ballantyne; assistant secretary, George B. Palmer; trustees, William M. Dignam, William H. Parsons and Robert N. Graves, and executive committee, E. Medley Scovill, W. H. Wilson, T. H. Allison, A. S. Glasgow, John Inglis, Dr. L. M. Ryan, W. J. K. Vanston, Samuel H. Kern, William Hog and Dr. T. G. Turcot.

GIRL SOPHOMORES WIN

Barnard Seniors Defeated by 4 Points in Sing Song Contest.

The sophomores of Barnard College triumphed in the annual sing song contest yesterday, held in the Brinkerhoff Theatre. The victors amassed 24 points; the seniors came second, with 30, while the juniors and the freshmen finished in the order named, but far in the rear.

"Sing song" contests have been held at Barnard for the last four years. It is a competition of the four classes in giving college songs, new and old, serious and frivolous. Points are awarded for "knowledge and enunciation," "spirit in singing" and "sweetness of tone." One of the most catchy songs sung in yesterday's competition was written by a sophomore, Miss Katharine McGiffert.

Later in the day the election to "Wiss and Cues," the college dramatic association, was held, and the following committee chairmen were elected: Miss M. Carr, play committee; Miss M. Terri-berry, finance; Miss H. Blumenthal, costume; Miss S. Morgenstern, stage management; Miss B. Rittenberg, wigs and make-up, and Miss E. Astruck, membership.

GLYNN ATTACKED BY REFORMERS

Civil Service Association Blames Him for "Deplorable" Hospital Service.

Governor Glynn was criticized and Mayor Mitchell praised in the annual report of the executive committee of the Civil Service Reform Association, made public last night. The state departments of Labor, Civil Service Commission and the Hospital Service also were subjects of condemnation in the report.

Ex-Governor Sulzer also came in for a share of its disapproval, and for special praise the association mentioned John A. Hennessy, James W. Osborne and John N. Carlisle, Commissioner of the Department of Highways.

President Wilson was also praised for maintaining the high standards created by Colonel Roosevelt and Mr. Taft in the appointment of diplomats other than ambassadors and ministers.

Dr. A. Jacob, vice-president of the association, presided at the meeting held at the City Club. Among the speakers were Polist Commissioner Woods and Dr. Henry Moskowitz, president of the Municipal Civil Service Commission.

Mr. Woods said he hoped the association would take up the proposition of giving to the members of the police force credits, as it would help them in their promotions for honesty, politeness, vigilance and other merits.

"The only thing we give a policeman credit for is physical courage," said Mr. Woods. "Physical courage is common on the force. It is so common that it is a drug. But we desire the moral courage on the force by the dismal fact that, no matter how much good work a policeman does, it will not help him one jot toward promotion."

"The average policeman feels, and he is justified by the facts, that he will not be promoted for good work. In fact, I can go the other way and say a policeman feels he can get promotion by being inactive by turning his back when he hears a rumour."

Dr. Moskowitz said he hoped to see created a general trial board for the hearing of all complaints against city employees and the establishment of a civil service school similar to West Point.

While praising President Wilson for keeping up the standards of minor diplomatic appointments set by his Republican predecessors, the report also takes him to task in the following language:

"The policy with reference to ambassadors and ministers has been severely condemned. This criticism comes not so much from the fact that changes have been made as because of the dropping of many really trained diplomats to make places for politicians often of obscure note at home."

Speaking of the hospital service, the report condemns the displacing of Timothy McGarr, its secretary, by a New York plumber, J. H. B. Hamill, and the appointment to the secretaryship of William O'Hara, a saloonkeeper of Hornell.

"The situation is little short of deplorable," says the report. "If there is any department which should be removed from politics it is this, which has to do with the care of the helpless insane. Now, important duties are entrusted to men who have no experience at the time of their appointment, and who owe their places to political influence."

"This committee hoped Governor Glynn would realize the seriousness of this matter and put the hospital service on a sound, economical, merit basis."

The report describes the commission as subservient to outside influences and lacking in a comprehension on the part of the commissioners of the dignity and impartiality which their office demands.

Labor Commissioner Lynch and his predecessors were condemned for increasing the number of exempt positions in the department, and Sulzer was taken to task for creating the exempt position of lay deputy in order to take care of Louis A. Sareky, his confidential secretary.

"BECKER CONTROLLED MY CONSCIENCE," SAYS ROSE

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assigned a seat in the front row at one side of the courtroom. Rose took the stand promptly when court opened. He wore a neat brown suit, brown tie and low white collar. He appeared composed, and seldom showed any signs of discomfort during his long cross-examination. He seemed to have steered himself yesterday, and there was no show of the emotion he exhibited when he told his story for the people the day before.

Rose had added considerably to certain parts of his testimony at the first trial. Mr. Mantion, for the defence, took advantage of this "change," and spent a great deal of time in reading the amplifications of the witness's testimony into the record and asking him why he had not thought of it when he testified the first time.

He charged the witness with having "changed" some of his testimony to fit in with the various points dealt upon in the decision of the Court of Appeals granting Becker a new trial. Mr. Whitman vigorously objected to the reference to the Court of Appeals decision, and Justice Seabury finally ruled that no further reference to the decision should be made by counsel for the defence throughout the trial.

Falters on Own Record.

Rose faltered a little in answering some of the pointed questions about his life—he showed a little hesitancy, with a touch of embarrassment, in the face of the home thrusts by Becker's counsel—but he freely admitted all the shadows and misdeeds of his career.

At one point he could not remember the maiden name of his wife.

"Did you know a woman known as Hattie Green?" asked Mr. Mantion.

"Hattie Green?" queried Rose, pausing; then, "Yes."

"Why, she is your wife now, isn't she?" asked Mantion.

"Yes, that is right," Rose replied, reflectively.

"Why did you hesitate? Didn't you know her?" asked the lawyer.

"I didn't at first remember her maiden name," said Rose.

"Do you mean that?" asked Becker's counsel with a sarcastic smile.

"Yes," was the witness's quiet reply.

Counsel for the defence attempted to connect Rose in some way or other with many characters, men and women, of the underworld, and to mark him as a frequent and a partner in places of ill repute. Rose denied knowledge at most times, but he admitted his questionable associations with other characters and enterprises.

Some of the women's names which the lawyer hurled at Rose, and whose acquaintance he denied, were "Black Mary," "Boston Nell," "Chicago Maggie" and others. He declined to answer some of the questions in regard to other women on the ground that it would tend to degrade and incriminate him.

The witness said his right name was Rosenzweig, but that he had been known as Jack Rose for twenty-five years. He was thirty-nine years old, he said, and supposed he was born in Poland because he had heard his relatives talk about that place. His mother was dead, but his father and brothers and sisters were living in this city. They had never discussed the place of his birth to him. He understood his mother brought him to this country when he was two years old. He had been confined in the juvenile asylum in this state for eleven months once for playing truant from school, he said. The examination continued:

Q.—Didn't you hold up Tom O'Rourke for \$3,000 in blackmail at his hotel? A.—No.

Q.—Did you know Mike Pike, of Chicago? A.—I knew of him.

Q.—Is that all you just knew of him? A.—That is all.

Q.—Were you in Chicago for a while? A.—Yes.

Q.—Were you engaged in business with him? A.—No.

Q.—In competition with him? A.—No.

Q.—Mike Pike had a disorderly house there? A.—I don't know.

Q.—Didn't he cause you to leave Chicago and come to New York? A.—He did not.

Q.—How long did you stay in Chicago? A.—Made three trips there.

Q.—You had a lady there named "Chicago Maggie," didn't you? A.—I did not.

Q.—I only lived in one place, the Stratford Hotel.

Q.—Didn't you live in the Hartford flats, or did she?

Q.—About that time.

Q.—And that is the time you have been telling us about conversations and raids in New York? A.—No. If I testified to raids in New York I was in New York, and if I.

Mr. Mantion—I move to strike that out. Motion granted.

Q.—And that is the jury that you were in Chicago in April, 1912, didn't you? A.—I did not.

Q.—Didn't you just tell that to the jury yesterday? A.—I did.

Q.—Now, the Rosenzweig raid was supposed to have occurred in April, 1912? A.—That is the record.

Q.—Is that your recollection? A.—In the spring of 1912.

Q.—Did you swear that it was in April, 1912, yesterday before this jury? A.—I don't know.

Q.—Don't you remember it this morning? A.—No, very distinctly.

Q.—Why didn't you tell me that when I asked you? A.—Why, I was telling you the truth and if you will give me a chance.

Motion to strike out denied.

Q.—Didn't you steal a diamond ring and a watch in a stuss game? A.—No.

Rose Asked About Becker.

Q.—Did you play in a stuss game with Mike Pike in Chicago? A.—No.

Q.—Did you know Chicago Maggie when she left Chicago and came to live in New York? A.—Never heard of such a person.

Q.—When did you say you lived in Connecticut? A.—When I was seventeen or eighteen years of age.

Q.—When did you live in Connecticut? A.—On and off about twelve or fifteen years.

Q.—When did you come back to live in New York? A.—About seven or eight years ago.

Q.—Did you live in New York continuously since that time? A.—On and off.

Q.—You have been a gambler ever since? A.—On and off.

Q.—Have you done anything else but gamble? A.—Yes.

Q.—What did you do? A.—I was in the theatrical business.

Q.—Did you do that last trial? A.—Oh, no.

Q.—Before the last trial? A.—Yes.

Q.—And you were in the prizefighting business, weren't you? A.—Managing of boxing clubs.

Q.—Do you think that has a higher tone than prizefighting? A.—No.

Q.—When did you first meet Rosenzweig? A.—Twenty odd years ago.

Q.—Where did you first meet him? A.—On the East Side of New York.

Q.—Did you see him frequently from that time up to the time of his death? A.—Yes.

Q.—And were you engaged in business with him at any time? A.—Two or three times.

Q.—When was the first time you were engaged in business with Rosenzweig? A.—About twenty years ago.

Q.—Where was that? A.—On East Broadway.

Q.—What was that, a card game, gambling? A.—A card game.

Rose said he later went into partnership with Rosenzweig in the Hesper Club, a gambling organization on the East Side. That was two years before Rosenzweig opened his gambling house in West 4th st., in which Becker owned an interest, the witness said. Rose denied that he had acted as a "steerer" for other gamblers after the Hesper Club broke up.

Mr. Mantion spent some time in bringing out contradictions in Rose's testimony in relation to stories of some of the newspapers after the first Becker trial. Rose admitted that he "lied" in some of these stories in describing his relation with gamblers and notorious East Side characters. Rose said he seldom looked over these articles before they were "sent out to the morals of the community," as Mr. Mantion suggested, although he signed them. Parts of them were rewritten in the newspaper offices, he said.

Admits He "Lied."

Counsel for the defence brought out three specific occasions when Rose admitted that he "lied"—the first at Police Headquarters, when he talked with Deputy Commissioner Dougherty after he had given himself up; secondly, when he made an affidavit at the home of Harry Pollock, where he had furnished the \$3,000 for the opening of Rosenzweig's gambling house, instead of the affidavit explained that he had written in the stories of his life that he had been released from prison and indulged in lecturing and "reform" as Mr. Mantion suggested.

At this point Mr. Mantion took up the amplifications in Rose's testimony this time as compared with his story at the first trial. He pointed out several discrepancies, but Rose was quick to explain them away, and "got it over" to the jury before counsel could stop him. Justice Seabury cautioned Rose to confine himself strictly to answering the questions. Now and then a tilt would occur between Mr. Mantion and the District Attorney, when the latter objected to the lawyer's tactics in handling the witness.

Frequently when asked if "that was the best answer he could give to the question," Rose would reply:

"If you will permit me to make a more detailed one, I will do so."

At one point Rose replied to a question that he met Harry Vallon on 14th st. and talked with him about the murder, but Mr. Mantion could not pin Rose down to the time or exact place.

Q.—Do you remember where you found him at 14th st.? A.—Not to say so positively.

Q.—Do you know whether you found him in a barnyard or in a house, or on the street?

The court: He says that he met him in one of those three places, but he does not know which of the three places you met him. A.—I can help you in that part of it: It was not in a barnyard or in a house, it was in a house.

Q.—Did you meet him anywhere else? A.—I met him on 14th st.

Q.—Do you know where in 14th st. he was? A.—I don't know.

Q.—And you don't know which place he was in, or standing out on the street?

Q.—And you don't know which? A.—No.

Mr. Mantion questioned Rose closely in regard to the circumstances of the so-called "Harlem conference," which is to be a crucial factor on both sides on account of the reference to it in the decision of the Court of Appeals granting Becker a new trial. The cross-examination on this point follows:

The "Harlem Conference."

Q.—Do you say that after that conversation you went up to Harlem, 124th st.? A.—Not direct there.

Q.—You said yesterday that you stopped at 124th st. and Seventh av.? A.—The automobile, yes.

Q.—And you got out there? A.—Yes.

Q.—You swore at the last trial that you drove up to 124th st. and Seventh av. with the automobile? A.—Did I?

Q.—What do you say about it? A.—Yes, I am able to say positively whether it was 124th or 125th st.

Q.—Wasn't your memory fresher on the last trial where you drove to on the night than it is on this trial? A.—About the same.

Q.—And if it is about the same, you can't tell us—why didn't you tell the jury the last time where you drove to exactly? A.—Exactly.

Q.—Yes, A.—I haven't been able to tell much exactly about dates or times, or the positive places of meeting.

Q.—You can't to-day, can you? A.—I am trying to get a near or possible.

Q.—Can you to-day? A.—No, not positive.

Q.—You didn't know on the last trial the day of the month that you drove up there? A.—I don't think I did.

Q.—And you don't know to-day? A.—No.

Q.—You say to-day that you drove up there with Vallon? A.—I drove up with Vallon.

Q.—You left Schepps at 42d st.? A.—Yes.

Q.—Did Schepps start with you when you started up there, when you started up that night, where you started from? A.—Yes, to 42d st.

Q.—Where did you start from? A.—Fourteenth st.

Q.—Said that Cohen was your chauffeur? A.—Yes.

Q.—You didn't say so on the last trial, did you? A.—I don't know positive.

Q.—Can't you remember what you swore on these particulars on the last trial? A.—Not to say positively.

Q.—Wasn't that an important fact that

DR. SHAW REVIEWS SUFFRAGE PROGRESS

American Woman's Presentation of Subject in Rome Evokes Applause.

Rome, May 13.—The Rev. Dr. Anna Howard Shaw, of New York, to-day delivered a striking address on woman suffrage at the fourth public meeting under the auspices of the International Council of Women and in the presence of a distinguished audience. Dr. Shaw said the first duty of patriotic women was to bring the practical life of governments into harmony with the fundamental principles of justice which demands that the laws governing the people give equal privileges and equal opportunities to all regardless of sex.

During the last five years, she said, woman suffrage had grown from an academic to a practical question and all political parties had realized that it was one with which governments must speedily deal. She declared that the growth of the suffrage movement had been proved in several ways. These were:

First—The changed attitude of the people in that woman suffrage had become the most frequent subject of conversation everywhere, while the press gave more space to it in its news and editorial columns than to any other political or moral reform.

Second—Political parties reflecting the popular mind vie with each other in seeking the support of women by inserting woman suffrage planks in their programmes, as they know that no party can be successful when women organize against it.

Third—During the last two years the subject of woman suffrage has been before every parliament in every nation except Turkey, while in the United States it has been one of the most important questions of debate and for the first time in American history favorable reports have been made by both the Senate and House committees and it has become a national question.

Fourth—More nations and states have granted the vote to women during the last five years than in any other five years in history.

The Ride to Harlem.

Q.—You mean that you can't remember whether you swore about that fact, as to who drove you up there? A.—I didn't know until lately that it was Cohen. I always thought it was Moe Levy.

Q.—Did you see Moe Cohen? A.—Yesterday in the elevator going up into the building here.

Q.—Is that the only time you saw him? A.—Once before in the West Side jail.

Q.—You say you got there about what time? A.—Some time between 9 and 10 o'clock.

Q.—You were a little more certain about it on the last trial, wasn't you? A.—Was I?

Q.—What do you say about it? A.—I don't remember.

Q.—Did you say 9 o'clock on the last trial? A.—You have the advantage; you have the record; I don't know.

It developed at this point that the prosecution has a new witness in the person of a negro boy named Marshall, who will testify that he saw Rose, Vallon and Webber at 124th st. and Seventh av. on the night of the famous conference. Marshall is said to have come and talked with Becker while he was conferring with the other conspirators, and made a report to him in relation to a "crap joint" in the neighborhood which he intended raiding that night. Rose did not mention the boy in his testimony at the first trial.

Rose said that he did not know the boy's name, but that he had met him or rather saw him once or twice recently, and had not spoken to him. It was evident that the boy had been taking a look at the witness to see if he could identify him as having been at the Harlem conference.

Motive to Kill Rosenzweig.

"Spanish Louie" trailed "Sam" Paul for two weeks and finally found him at his association, where "Sam" gave him \$50, and "Louie" called off the shooting proposition, according to Rose's story.

This point was evidently brought out to show a motive for some of the East Side gamblers wanting to get Rosenzweig out of the way.

Mr. Mantion showed, in strengthening this contention of the defence, that Rose had been on friendly terms with "Lefty Louie," one of the gunmen executed for the Rosenzweig murder, at about this time, though he has testified that he feared the members of "Big Jack" Zelig's gang, of which "Lefty" was a member.

This time was fixed as some time in May or June, 1912. Rosenzweig was killed in July of that year.

Mr. Mantion then undertook to point to Rose directly as the man who actually wanted Rosenzweig murdered, instead of Becker. He brought out that it was about this same time that Rose knew Rosenzweig had been circulating the report that he (Rose) had "framed up" Zelig, and intimated that because Rosenzweig had tried to set the gunmen on him Rose had "turned the tables" and sent out the gunmen after Rosenzweig.

Mr. Mantion pointed out that though Rose had testified at the first trial that he did not know "Spanish Louie," he had since written and described his appearance accurately and gone so far as to write that he had once "hired Spanish Louie himself." Rose said that he had meant to testify that he did not know the gangster intimately.

Some of the discrepancies between Rose's former testimony and his writings were considered the strongest points that the defence made in the cross-examination of Rose. District Attorney Whitman jumped to Rose's rescue on these occasions by getting it in the record that Rose had not been writing of his own knowledge, but from hearsay and rumors. He promised to clear these points up better to-day on the redirect examination of Rose.

In view of some of this testimony on cross-examination, Mr. Mantion said after the trial that he believed he had virtually fastened the murder of Rosenzweig on Rose, and that Rose and his associates framed up the crime on Becker to save their necks.

Mr. Mantion wanted to know if Rose had been to Sam and Meyer Boston, brothers, prospective witnesses for the defence, to tell them to keep off the witness stand as the District Attorney knew they were pickpockets. Rose denied it.

The law for the defence dwelt at length on the occasions when Rose, Webber and Vallon, after they had turned "informers," met and talked with District Attorney Whitman, Assistant District Attorney Moss and other members of the District Attorney's staff, in the Tombs and at the West Side court prison. He was evidently trying to show that the witnesses had ample opportunity to rehearse their stories among themselves, as well as with the District Attorney.

Denies Sullivan Charges.

The affidavit of "Jack Sullivan," to which he testified at the first trial, including conversations he testified he overheard in the West Side prison between Rose, Webber and Vallon, in which Sullivan swore they said they were "framing up" Becker, and tried to get him to corroborate their stories, was put in evidence by Mr. Mantion. Sullivan will probably be a witness for the defence again. Rose denied all these alleged conversations.

At the close of the cross-examination Mr. Mantion suddenly shot the following questions at the witness:

Q.—Well, you admit now, do you not, that you were arranging the murder of Rosenzweig? A.—At the suggestion of Becker.

Q.—No, answer my question. Don't you admit that now? A.—I admitted all my part in it.

Q.—When you were planning this murder, did not your conscience prick you at all? A.—My conscience was under the entire control of Becker.

Q.—Answer my question yes or no. I move to strike that out.

The Court—Strike it out.

Q.—Answer that question. A.—There were times it did. I proved it by trying to prevent it.

Q.—Does it prick you now? A.—It does.

Q.—Well, on the last trial you thought your conscience did not prick you when you were planning this murder, but on this trial you think your conscience did prick you? A.—Yes, there is a reason for it.

Q.—If your conscience were pricking you, didn't you feel you were doing a terrible deed? A.—In those moments of.

Q.—Yes or no, yes or no? A.—I felt that way, yes.

Q.—And you didn't stop for a minute, did you? A.—Many a minute I stopped.

This